



PATENT
02570-P0017A WWW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant | Igor Giterman |
| Serial No. 10/620,393 | Filing Date: July 16, 2003 |
| Title of Application: | Wide Total Pressure Range Probe With Hemi-Spherical Tip |
| Confirmation No. 9545 | Group Art Unit: |
| Examiner: | |

Mail Stop Missing Parts
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Petition to Accord Filing Date to Items Alleged Omitted

Dear Sir:

Applicants petition the Commissioner to accord the Filing Date of July 16, 2003 to the filing fee of \$808.00 (copy of check attached as Exhibit 1) and the Declaration and Power of Attorney (copy attached as Exhibit 2). This Petition is filed in response to the Notice To File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b) mailed January 16, 2004 (copy attached as Exhibit 3), which alleges that the filing fee and the Declaration and Power of Attorney were not filed with the original application papers. Applicant contends that the filing fee and the Declaration and Power of Attorney were in fact deposited in the U.S. Patent and Trademark Office with the nonprovisional application papers.

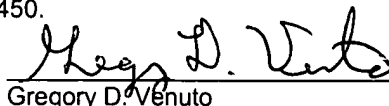
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Mailing Certificate: I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as *First Class Mail* in an envelope addressed to: Mail Stop Missing Parts; Commissioner for Patents; Post Office Box 1450; Alexandria, VA 22313-1450.

January 16, 2003


Gregory D. Venuto

MPEP 503 provides that "[a] postcard receipt which itemizes and properly identifies the items which are being filed serves as prima facie evidence of receipt with USPTO of all items listed thereon on the date stamped thereon by the USPTO." Attached as Exhibit 4 is a copy of such a postcard duly stamped by the Patent Office for the subject application. The postcard itemizes "...Declaration and Power of Attorney, ..., and \$808.00 Check." and includes an Express Mail identifier. The postcard includes an indication of the filing date accorded to the application of July 16, 2003. Apparently, the U.S. Patent Office has no indication in its files that either the filing fee or the Declaration and Power of Attorney were received. In accordance with MPEP 503, Applicant submits that the postcard attached as Exhibit 4 is prima facie evidence that the \$808.00 filing fee and the Declaration and Power of Attorney were filed with the application on July 16, 2003 and should be accorded the same filing date.

A petition fee in the amount of \$130.00 is enclosed herewith. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 19-4516.

Respectfully submitted,



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